

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DEYSSI JANNETH PRADO-GUAJARDO,)

Plaintiff,) Case No.: 2:16-cv-00546-GMN-VCF

ORDER

MARTIN GUZMAN PEREZ and EL RAYO,

Defendants.

MARTIN GUZMAN PEREZ,

Third-Party Plaintiff,

VS.

SHAYNA DIAZ,

Third-Party Defendant.

Pending before the Court is the Report and Recommendation of the Honorable United States Magistrate Judge Cam Ferenbach, (ECF No. 57), which recommends that Third-Party Defendant Shayna Diaz and Plaintiff Deyssi Janneth Prado-Guajardo's Motion for Determination of Good Faith Settlement, (ECF No. 38), be granted.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is

1 not required to conduct “any review at all . . . of any issue that is not the subject of an
2 objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized
3 that a district court is not required to review a magistrate judge’s report and recommendation
4 where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114,
5 1122 (9th Cir. 2003).

6 Here, no objections were filed, and the deadline to do so has passed.

7 Accordingly,

8 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 57), is
9 **ACCEPTED and ADOPTED** in full.

10 **IT IS FURTHER ORDERED** that Third-Party Defendant Shayna Diaz and Plaintiff
11 Deyssi Janneth Prado-Guajardo’s Motion for Determination of Good Faith Settlement, (ECF
12 No. 38), is **GRANTED**.

13 **IT IS FURTHER ORDERED** that Defendant and Third-Party Plaintiff Martin Guzman
14 Perez and Defendant El Rayo shall be allowed to argue that Diaz was partially at fault and
15 adduce evidence tending to show comparative fault even though Diaz will no longer be a part
16 of this case and further recovery against Diaz is precluded.

17 **IT IS FURTHER ORDERED** that Defendant and Third-Party Plaintiff Perez’s
18 ultimate liability, if there is any, shall be reduced pursuant to Nevada Revised Statutes §
19 17.245(1)(a) only to the extent that the fault allocated to Diaz by the jury, if any, exceeds
20 \$15,000.

22 **DATED** this 30 day of January, 2018.

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Gloria M. Navarro, Chief Judge
United States District Court